

**REMARKS**

Claims 1-59 are pending in the present application. Claims 30-59 have been added and claims 1 and 16 have been amended herein. No new matter has been added.

As an initial matter, Applicants would like to thank the Examiner for the allowance of claims 8-15 and 21-29. Applicants would also like to thank the Examiner for the indication that claims 2, 3, 7, 17, 18, and 20 would be allowable if rewritten in independent form including all of the limitations of the base claims and any intervening claims.

Claims 1, 4-6, 16, and 19 have been rejected under 35 U.S.C. § 102(b) as assertedly being anticipated by U.S. Patent No. 6,069,400 to Kimura et al. (hereinafter "Kimura"). Applicants respectfully traverse this rejection.

**Claims 1, and 4-6**

Applicants have amended claim 1 to recite at least one distinguishing feature of an embodiment of the present invention not found in the cited references, namely, the step "*forming an etch-stop layer over a substrate*" and that the first low-dielectric constant material sub-layer is formed over "*the etch-stop layer*." It is noted that similar limitations are contained in claim 8, which the Examiner has indicated was allowable.

Claims 4-6 depend from and further limit independent claim 1 in a patentable sense. Accordingly, Applicants respectfully request that the rejections of claims 4-6 be withdrawn as well. (Claims 2-3 and 7 have been indicated as being allowable if rewritten in independent form.)

**Claims 16 and 19**

Applicants have amended claim 16 to recite at least one distinguishing feature of an embodiment of the present invention not found in the cited references, namely, the limitation that "*a first low-dielectric constant material sub-layer over an etch-stop layer*."

It is noted that a similar limitation is contained in claim 21, which the Examiner has indicated was allowable.

Claim 19 depends from and further limits independent claim 16 in a patentable sense. Accordingly, Applicants respectfully request that the rejection of claim 19 be withdrawn as well. (Claims 17, 18, and 20 have been indicated as being allowable if rewritten in independent form.)

#### New Claims 30-35

Claim 30 has been added to recite all of the limitations of previous claim 2, including all of the limitations of the base claim and any intervening claims, in independent form, which the Office Action has indicated as being allowable if rewritten in independent form.

Claims 31-35 depend from and further limit independent claim 30 in a patentable sense. Accordingly, Applicants respectfully submit that claims 31-35 are allowable as well.

#### New Claims 36-41

Claim 36 has been added to recite all of the limitations of previous claim 3, including all of the limitations of the base claim and any intervening claims, in independent form, which the Office Action has indicated as being allowable if rewritten in independent form.

Claims 37-41 depend from and further limit independent claim 36 in a patentable sense. Accordingly, Applicants respectfully submit that claims 37-41 are allowable as well.

#### New Claims 42-47

Claim 42 has been added to recite all of the limitations of previous claim 7, including all of the limitations of the base claim and any intervening claims, in

independent form, which the Office Action has indicated as being allowable if rewritten in independent form.

Claims 43-47 depend from and further limit independent claim 42 in a patentable sense. Accordingly, Applicants respectfully submit that claims 43-47 are allowable as well.

#### New Claims 48-51

Claim 48 has been added to recite all of the limitations of previous claim 17, including all of the limitations of the base claim and any intervening claims, in independent form, which the Office Action has indicated as being allowable if rewritten in independent form.

Claims 49-51 depend from and further limit independent claim 48 in a patentable sense. Accordingly, Applicants respectfully submit that claims 49-51 are allowable as well.

#### New Claims 52-55

Claim 52 has been added to recite all of the limitations of previous claim 18, including all of the limitations of the base claim and any intervening claims, in independent form, which the Office Action has indicated as being allowable if rewritten in independent form.

Claims 53-55 depend from and further limit independent claim 52 in a patentable sense. Accordingly, Applicants respectfully submit that claims 53-55 are allowable as well.

#### New Claims 56-59

Claim 56 has been added to recite all of the limitations of previous claim 20, including all of the limitations of the base claim and any intervening claims, in

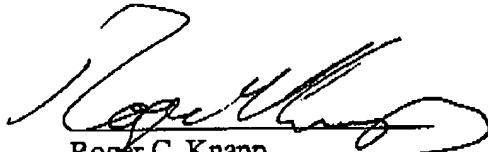
independent form, which the Office Action has indicated as being allowable if rewritten in independent form.

Claims 57-59 depend from and further limit independent claim 56 in a patentable sense. Accordingly, Applicants respectfully submit that claims 57-59 are allowable as well.

**Conclusion**

In view of the above, Applicants respectfully submit that the application is in condition for allowance and request that the Examiner pass the case to issuance. If the Examiner should have any questions, Applicants request that the Examiner please contact Applicants' attorney at the address below. In the event that the enclosed fees are insufficient, please charge any additional fees required to keep this application pending, or credit any overpayment, to Deposit Account No. 50-1065.

Respectfully submitted,



Roger C. Knapp  
Reg. No. 46,836  
Attorney for Applicant

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Date

SLATER & MATSIL, L.L.P.  
17950 Preston Rd., Suite 1000  
Dallas, TX 75252  
Tel: 972-732-1001  
Fax: 972-732-9218

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